

proceeding, the merger of such proceedings will be accomplished so as to preserve the third party requester's right to participate to the extent specifically provided for in these regulations. In merged proceedings involving different requesters, any paper filed by one party in the merged proceeding shall be served on all other parties of the merged proceeding.

REEXAMINATION CERTIFICATE IN *Inter Partes* REEXAMINATION

§ 1.997 Issuance and publication of *inter partes* reexamination certificate concludes *inter partes* reexamination proceeding.

(a) To conclude an *inter partes* reexamination proceeding, the Director will issue and publish an *inter partes* reexamination certificate in accordance with 35 U.S.C. 316 setting forth the results of the *inter partes* reexamination proceeding and the content of the patent following the *inter partes* reexamination proceeding.

(b) A certificate will be issued and published in each patent in which an *inter partes* reexamination proceeding has been ordered under § 1.931. Any statutory disclaimer filed by the patent owner will be made part of the certificate.

(c) The certificate will be sent to the patent owner at the address as provided for in § 1.33(c). A copy of the certificate will also be sent to the third party requester of the *inter partes* reexamination proceeding.

(d) If a certificate has been issued and published which cancels all of the claims of the patent, no further Office proceedings will be conducted with that patent or any reissue applications or any reexamination requests relating thereto.

(e) If the *inter partes* reexamination proceeding is terminated by the grant of a reissued patent as provided in § 1.991, the reissued patent will constitute the reexamination certificate required by this section and 35 U.S.C. 316.

(f) A notice of the issuance of each certificate under this section will be published in the *Official Gazette*.

[65 FR 76777, Dec. 7, 2000, as amended at 72 FR 18907, Apr. 16, 2007]

PART 2—RULES OF PRACTICE IN TRADEMARK CASES

EDITORIAL NOTE: Part 2 is placed in the separate grouping of parts pertaining to trademarks regulations.

PART 3—ASSIGNMENT, RECORDING AND RIGHTS OF ASSIGNEE

Sec. 3.1 Definitions.

DOCUMENTS ELIGIBLE FOR RECORDING

- 3.11 Documents which will be recorded.
- 3.16 Assignability of trademarks prior to filing of an allegation of use.

REQUIREMENTS FOR RECORDING

- 3.21 Identification of patents and patent applications.
- 3.24 Requirements for documents and cover sheets relating to patents and patent applications.
- 3.25 Recording requirements for trademark applications and registrations.
- 3.26 English language requirement.
- 3.27 Mailing address for submitting documents to be recorded.
- 3.28 Requests for recording.

COVER SHEET REQUIREMENTS

- 3.31 Cover sheet content.
- 3.34 Correction of cover sheet errors.

FEEs

- 3.41 Recording fees.

DATE AND EFFECT OF RECORDING

- 3.51 Recording date.
- 3.54 Effect of recording.
- 3.56 Conditional assignments.
- 3.58 Governmental registers.

DOMESTIC REPRESENTATIVE

- 3.61 Domestic representative.

ACTION TAKEN BY ASSIGNEE

- 3.71 Prosecution by assignee.
- 3.73 Establishing right of assignee to take action.

ISSUANCE TO ASSIGNEE

- 3.81 Issue of patent to assignee.
- 3.85 Issue of registration to assignee.

AUTHORITY: 15 U.S.C. 1123; 35 U.S.C. 2(b)(2).

SOURCE: 57 FR 29642, July 6, 1992, unless otherwise noted.

EDITORIAL NOTE: Nomenclature changes to part 3 appear at 68 FR 14337, Mar. 25, 2003.